



COPY PAPERS  
ORIGINALLY FILED

R CE/3762

Rev. 8-2001

# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Commissioner of Patents and Trademarks, Washington, D.C. 20231 on May 3, 2002.

*Daryl A. Albus*

Daryl A. Albus

Application Number : 09/603,812  
Filing Date : June 26, 2000  
Inventor(s) : Michael Kraus, et al.  
Title : ELECTROMEDICAL IMPLANT  
Group Art Unit : 3762  
Examiner Name : George Robert Evanisko  
Docket No. : 39732/JWP/E43

Date: May 3, 2002

RECEIVED  
MAY 24 2002  
TC 3700 MAIL ROOM

MAIL TO: Box RCE

This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of the above-identified application.

This application is **not** an application of the kind specified in 37 CFR § 1.114(e).

## 1. THE STATUS OF THE APPLICATION IS AS FOLLOWS:

a. ☒ Pending (no review proceedings active)

- (1) ☒ An Action was mailed by the Office on March 8, 2002, as to which no appeal under 37 CFR § 1.191 has been filed and  
\_\_\_\_\_ a response under 37 CFR § 1.111 was mailed on \_\_\_\_\_  
\_\_\_\_\_ via Express Mail  
\_\_\_\_\_ with certificate of mailing under 37 CFR § 1.8  
☒ the enclosed Submission is a response under 37 CFR § 1.111.  
☒ that Action was a Final Rejection, the finality of which is to be withdrawn by this Request  
\_\_\_\_\_ an appeal or civil action under 35 U.S.C. 141,145 or 146 has been terminated

- (2) \_\_\_\_\_ Allowed: the Notice of Allowance was mailed by the Office on \_\_\_\_\_  
\_\_\_\_\_ the Issue Fee has not been paid  
\_\_\_\_\_ the Issue Fee has been paid **and** a petition under 37 CFR § 1.313 was granted on \_\_\_\_\_

b. \_\_\_\_\_ Pending (with review proceeding active)

An appeal under 37 CFR § 1.191 has been filed. Applicant(s) hereby **withdraw that appeal and request reopening of the prosecution of the application.**

05/14/2002 ADEMESS1 00000043 09503812

01 FC:179

740.00 00

---

**REQUEST FOR CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

---

**Application No. 09/603,812**

---

**2. SUBMISSION(S) REQUIRED (check at least one)**

**a. Previously submitted**

- ☐ Consider the amendments/reply under 37 CFR § 1.116 previously filed  
on ☐  
☐ Consider the arguments in the Appeal or Reply Brief previously filed on ☐  
☐ Other:

**b. Enclosed**

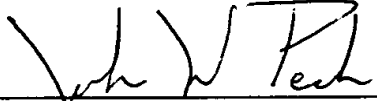
- ☒ Amendment/Reply  
☐ Affidavit(s)/Declaration(s)  
☐ Information Disclosure Statement  
☐ Documents under 37 CFR § 1.48  
☐ Petition for Extension of Time  
☐ Other:

The Examiner is requested to telephone the undersigned promptly following receipt and initial review of the application in light of the Submissions(s) for the conduct of, or the scheduling of, a telephone interview in the application.

Please address all correspondence to **CHRISTIE, PARKER & HALE, LLP, P.O. Box 7068,  
Pasadena, CA 91109-7068.**

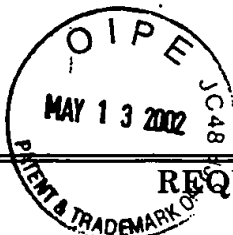
Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By 

John W. Peck, Ph.D.  
Reg. No. 44,284  
626/795-9900

JWP/daa



COPIES OF PAPERS  
ORIGINALLY FILED

**REQUEST FOR CONTINUED EXAMINATION (RCE)  
FEE CALCULATION SHEET**

**Application No. 09/603,812**

PART I - BASIC FEE			
BASIC FEE	Small Entity \$370.00	Large Entity \$740.00	740.00

Part II - ADDITIONAL CLAIMS (compared to application before RCE)						
	Claims Remaining After Amendment	Highest Number Previously Paid For	Number Extra Claims	Small Entity Rate	Large Entity Rate	FEE
Total Claims	11	* 20	0	x \$9.00	x \$18.00	-0-
Independent Claims	3	** 3	0	x \$42.00	x \$84.00	-0-
First Presentation of Multiple Dependent Claim				\$140.00	\$280.00	
TOTAL CLAIMS FEE						\$-0-
List Independent Claims: 1, 11, 12						
* IF THE "HIGHEST NUMBER OF TOTAL CLAIMS PREVIOUSLY PAID FOR" IS LESS THAN 20, WRITE "20" IN THIS SPACE. ** IF THE HIGHEST NUMBER PREVIOUSLY PAID OR IS 3 OR LESS, WRITE "3" IN THIS SPACE.						

3. FEES (The RCE fee under 37 CFR § 1.17(e) is required by 37 CFR § 1.114 when the RCE is filed.)

- a. Amount (total from Fee Calculation Sheet)  
A check for \$740.00 is enclosed.

- b. X The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required for this transaction to Deposit Account No. 03-1728. Please show our docket number with any charge or credit to our Deposit Account. **A duplicate copy hereof is enclosed.**

DAA PAS432860.1-\*5/3/02 9:38 AM

RECEIVED  
MAY 24 2002  
TCC 300 MAIL ROOM